

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KULDEEP SINGH,

Plaintiffs,

- against -

ALFIA JIVAN, K&A SMOKE SHOP LLC, LIBERTY  
NOVELTY, LAS VEGAS LLC AND LIBERTY  
NOVELTY, MARYLAND LLC

Defendant(S),  
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Civil Action No.  
22-cv-04235 (BMC)

**STIPULATION OF  
DISMISSAL**

This Stipulation is entered into by and between Plaintiff Kuldeep Singh and Defendants,  
through their respective attorneys.

**RECITALS**

**WHEREAS**, on July 19, 2022, Plaintiff commenced the above action by Summons and  
Complaint (the “Complaint”) in the United States District Court, Eastern District of New York;  
and

**WHEREAS**, on August 25, 2022, Plaintiff served Defendant Alfia Jivan personally with  
the Complaint;

**WHEREAS**, on September 14, 2022, Defendant Alfia Jivan appeared by Counsel Baruch  
Gottesman and filed a motion for leave to file a letter requesting a pre-motion conference on a  
motion to dismiss;

**WHEREAS**, on October 6, 2022, a pre-motion conference was held; and

**WHEREAS**, on October 14, 2022, Plaintiff filed an amended Complaint, adding K&A  
SMOKE SHOP LLC, LIBERTY NOVELTY, LAS VEGAS LLC AND LIBERTY NOVELTY,  
MARYLAND LLC as Defendants.

**WHEREAS**, on October 14, 2022, Hon. Cogan entered an order, directing Plaintiff to Show Cause by October 21 2022 why this case should not be dismissed for lack of subject matter jurisdiction.

**NOW, IN CONSIDERATION OF THE FOREGOING:**

**IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned that Plaintiff hereby withdraws their Amended Complaint, entered at Docket No. 14; and

**IT IS FURTHER STIPULATED AND AGREED** by and between the undersigned that this instant action be dismissed without prejudice; and

**IT IS FURTHER STIPULATED AND AGREED** that facsimile or other electronic copies of signatures shall be deemed to be originals for all purposes.

By: /s/ Erica T. Yitzhak  
Erica T. Yitzhak  
The Yitzhak Law Group  
1 Linden Place, Suite 406  
Great Neck, New York 11021  
(516) 466-7144

*Attorneys for Plaintiffs*

Dated: October 20, 2022  
Great Neck, New York

By: /s /Baruch S. Gottesman  
Baruch S. Gottesman  
185-12 Union Turnpike  
Fresh Meadows, New York  
(212) 401-6910

*Attorney for Defendant*

Dated: October 20, 2022  
Queens, New York

**SO ORDERED:**

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**Hon. Brian M. Cogan**

**Dated:** \_\_\_\_\_, 2022  
**Brooklyn, New York**